



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: March 13, 2007

SUBJECT: Variance No. 479-06

APPLICANT: Tait & Associates, Inc. – Mr. Jay Reed
For Conoco Phillips
701 N. Parkcenter Drive
Santa Ana, CA 92705

REQUEST: To replace existing signage at a Union 76 Gas Station. Variance requested to keep non-conforming 54-foot high pylon sign and increase in allowable sign area. The subject property is zoned CR-D (Commercial, Regional – Design Overlay District) and is located within Redevelopment Project Area No. 1.

PROPERTY INVOLVED: 1025 E. Carson Street

COMMISSION ACTION

Concurred with staff
 Did not concur with staff
 Other

COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
		Cottrell - Chairperson			Saenz
		Pulido – Vice Chair			Tyus
		Faletogo			Verrett
		Graber			Wilson
		Hudson			

Item No. 11B

I. Introduction

The applicant is requesting a variance from Section 9136.7 of the Carson Municipal Code to reface and maintain an existing, nonconforming 54-foot high freeway oriented pylon sign and to exceed the permitted sign area. The subject property, Union 76 Gas Station, is zoned CR-D (Commercial, Regional – Design Overlay District) and is located within Redevelopment Project Area No. 1.

Surrounding land uses include the Edison right-of-way easement to the west, a light industrial building to the south, the San Diego (405) Freeway to the east and a Caltrans easement to the north.

II. Background

The gas station has a legal, non-conforming pylon sign located at the rear of the property which is 54 feet in height. Pursuant to Section 9136.7 of the Carson Municipal Code (CMC), business signs are restricted to a maximum 30 feet in height. The subject pylon sign was constructed prior to the height restriction and was therefore considered a legal, nonconforming sign.

Pursuant to Section 9182.41 of the CMC, nonconforming signs shall either be removed or else be made to conform within five (5) years from the date of nonconformance. The date of nonconformance is applied when the CMC was adopted in 1977. In November 1998, a building permit was issued to reface the existing 54 foot high pylon sign. A Notice of Violation for the Union 76 Gas station was mailed by the Code Enforcement Division on March 28, 2001. The applicant was given several options by the Planning Division to seek authorization to maintain the nonconforming sign. Specifically, the owner was advised that an application could be submitted for an amendment to the CMC or to request a variance for the existing height. The applicant selected to request a variance.

In addition to the gas station operation, there are currently three (3) service bays in the main structure devoted to auto repair usage. Minor auto repair operations will be subject to a conditional use permit within the CR (Commercial, Regional) zone within five (5) years of the 2004 CMC ordinance adoption. As such, the business is considered to be legal, nonconforming and shall either obtain the conditional use permit or cease the auto repair usage at the end of the amortization period.

The gas station is also conducting minor sales of convenience goods behind the small cashier counter. Section 9138.12(A)(6) of the CMC does not permit the sale of convenience goods at an automobile service station within 300 feet of a school. There is a middle school located across the street within 300 feet. The applicant has provided the sale of convenience goods for many years. Staff recognizes that the operation is not intensive. Review of the administrative record, indicates that convenience goods sales have not been officially authorized for this location. As such, the applicant will be required to cease the sale of convenience goods or apply

for an ordinance amendment seeking authorization. A condition has been included for the application to take one of the options prior to the issuance of a building permit related to this variance.

While the CMC permits the layout and number of authorized parking spaces to continue indefinitely, the current parking layout is not authorized and poses a conflict with on-site circulation. As such, prior to the issuance of a building permit related to this variance, the applicant shall obtain approval of a site plan which shows parking spaces that do not interfere with on-site circulation. Such spaces shall be striped per the CMC.

III. Proposal

The applicant proposes to replace existing outdated signage with new corporate image signage, including painting the canopy valance Oasis Red and fuel dispensers Oasis Red and Oasis Silver. Existing signage to be removed and signage proposed are listed within the tables shown below:

Signage to be Removed			
Symbol	Description	Size	Sign Area Square Footage
3	(1) Rotating Pole Sign w/pricing	25'H	56 sq.ft.
5	(2) Price Signs	3'H x 5'L	60 sq.ft.
10	(1) Snack Shop Sign	2'-3"H x 15'-8"L	35.26 sq.ft.
13	(3) Signs at Service Bays	3' H x 6'L	54 sq.ft.
Signage to be Refaced/New Signage			
Symbol	Description	Size	Sign Area Square Footage
1	(1) New Illuminated Price Sign	25'H	117.5 sq.ft.
6	(8) Oasis Graphics at Dispenser Valance	9"H x 7.5"L	45 sq.ft.
9	(8) New 76 Logo at Dispenser	14" Diameter	18.56 sq.ft.
10	(1) Reface Existing Auto Care Wall Sign	2'-3"H x 11'-10"L	26.61 sq.ft.
*	(1) Reface Existing Freeway Oriented Pylon Sign	54' H x 20'L	800 sq.ft.

Existing Sign Area:	1,205
Proposed Sign Area:	1,007
Reduction in Total Sign Area:	198 square feet

IV. Analysis

VARIANCE

The applicant is requesting Variance No. 479-06 from Section 9136.7 of the CMC to maintain the existing 54-foot high, freeway-oriented pylon sign and to exceed the allowable sign area. The maximum allowable sign height within the CR-D (Commercial, Regional – Design Overlay District) zone is 30 feet and the total sign area per lot shall not exceed an area in square feet equal to two (2) times the linear feet of lot frontage on a public street or streets. When the total frontage of a lot is less than the square root of the lot’s area, said frontage shall be deemed to be equal to the square root of the lot’s area for the purpose of determining the permitted sign area. Based on this calculation, the total permitted sign area is 370 square feet. The applicant is proposing to legalize 1,007 square feet of sign area, 800 square feet of which is dedicated to the existing 54-foot high pylon sign.

Section 9172.22 of the CMC states a variance “shall be granted only when, because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of this Chapter deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.”

A special circumstance may be applicable in this case due to the topography and location of the property in relation to the adjacent San Diego (405) Freeway grade elevation. The grade elevation of the subject site is 20 feet above sea level, while the San Diego (405) Freeway grade elevation is 36 feet above sea level. The difference between grades is estimated at 16 feet. While the existing sign is 54 feet in height, the actual height above freeway grade is only 38 feet.

With respect to the overall sign area, the applicant is actually reducing the sign area from 1,205 square feet to 1,007 square feet to bring the property into closer compliance with the CMC. The existing pylon sign is the primary reason for the noncompliance with the allowable sign area.

The City has recently approved freeway oriented pylon signs within commercial zones such as the University Square pylon sign at 60 feet in height and the adjacent Carson-91 commercial center pylon sign at 63 feet in height, both oriented along the Artesia (91) Freeway. There are several other pylon signs which exceed the height limit and overall sign area along the San Diego (405) Freeway. See table below and Exhibit 3 for an inventory of such signs:

Map Symbol	Sign	Overall Height From Site Grade	Sign Height Above Freeway Grade
A	Cruise America	50'	30'
B	Cormier Chevrolet	81.5'	69.5'
C	Nissan	54'	40'
D	Toyota	50'	36'
E	Altman's RV	50'	42'
F	Don Kott	65'	49'
G	Jeep	60'	44'
H	Carson Auto Row	80'	64'
I	Home Depot Center	115'	97'

In addition to these, there are several other freeway oriented pylon signs which exceed the 30-foot height and overall sign area thresholds. As such, the proposed pylon sign height would not be out of character with the surrounding land uses, which also include freeway-oriented billboards. There is a concern that the design and size of the existing pylon sign is not in keeping with the Carson Street Master Plan and the Civic Center area. The current business is legal, nonconforming and could be subject to substantial change in use or potential redevelopment. Further consideration is needed to determine if findings can be made to support a variance for exceeding the allowable sign area.

V. Environmental Review

This project is Categorically Exempt from the provisions of the California Environmental Quality Act based on Section 15332, Class 1 – Minor alteration of existing structures.

VI. Conclusion

The new corporate sign image of Union 76 will be an improvement to the existing gas station. Removal of the rotating ball pole sign, the various price signs and other miscellaneous signs, such as the snack shop and service bay signage, will remove excess clutter and improve the overall appearance of the site. Illegal banners will

also be removed. The remainder of the subject property is maintained in good condition and no other conditions are imposed at this time. Staff supports the various business and price signs. Additional discussion and direction is needed by the Planning Commission to determine if the pylon sign should be allowed to remain.

VII. Recommendation

That the Planning Commission:

- **OPEN** the public hearing, take testimony and provide direction for the approval or denial of Variance No. 479-06.

Exhibits

1. Zoning Map
2. Sign Inventory Map along 405 Freeway
3. Proposed Plans (submitted under separate cover)

Prepared by: _____
Rocio Lopez, Planner

Reviewed by: _____
John F. Signo, AICP, Senior Planner

Approved by: _____
Sheri Repp, Planning Manager